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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their  
capacities as Trustees of the LABORERS  
HEALTH AND WELFARE TRUST FUND  
FOR NORTHERN CALIFORNIA, et al.,

Plaintiffs,

v.

PMK CONTRACTORS LLC, a California  
Limited Liability Company,

Defendant.

No. 4:21-cv-04413-HSG

**PLAINTIFFS' REQUEST TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE; ORDER THEREON**

**TO: THE CLERK OF THE COURT AND DEFENDANT PMK CONTRACTORS LLC, A  
California Corporation:**

Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the Case Management Conference ("CMC"), currently scheduled for September 14, 2021 at 2:00 p.m., be continued for approximately sixty (60) days.

Plaintiffs filed their Complaint against Defendant on June 9, 2021. Plaintiffs served the Summons and Complaint on Defendant by substituted service on June 15, 2021. Plaintiffs filed a proof of service with this Court on June 16, 2021.

On July 6, 2021, the parties filed a joint Stipulation Extending Time to Answer Complaint. On July 7, 2021, this Court issued an Order extending the date for Defendant to file a response pleading until July 16, 2021. On July 16, 2021, Defendant filed an Answer to the Complaint.

Since July 16, 2021, counsel for the parties have been in actively communicating with one another regarding a settlement to this matter. The parties believe that a settlement is forthcoming. For these reasons, Plaintiffs request that the Court continue the September 14, 2021 Case Management Conference for approximately sixty (60) days.

The above stated facts are set forth in the accompanying Declaration of Craig L. Schechter in Support of Plaintiffs Request Continue Case Management Conference, filed herewith.

Dated: September 10, 2021

WEINBERG, ROGER & ROSENFELD  
A Professional Corporation

By: /s/ Craig L. Schechter  
CRAIG L. SCHECHTER  
Attorneys for Plaintiffs

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### **ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

Based upon the foregoing Request to Continue of Case Management Conference and Declaration of Craig L. Schechter in Support thereof, the Court orders a continuance of the September 14, 2021 Case Management Conference for approximately sixty (60) days, or as soon thereafter as a court date is available.

Dated: 9/10/2021



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Defendant.

No. 3:21-cv-04413-HSG

**DECLARATION OF CRAIG L.  
SCHECHTER IN SUPPORT OF  
PLAINTIFFS' REQUEST TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE**

I, Craig L. Schechter, declare as follows:

1. I am an attorney with the law firm of Weinberg Roger and Rosenfeld, located at 1375 55<sup>th</sup> Street, Emeryville, California, 94608, the attorneys for Plaintiffs in this matter. I have knowledge of the facts stated in this Declaration and I could and would testify competently thereto.

2. Plaintiffs filed their Complaint in this matter on June 9, 2021.

1           3. Defendant was served by substituted service on June 15, 2021. Plaintiffs filed a  
2 proof of service with this Court on June 16, 2021.

3           4. On July 6, 2021, the parties filed a joint Stipulation Extending Time to Answer  
4 Complaint.

5           5. On July 7, 2021, this Court issued an Order extending the date for Defendant to  
6 file a response pleading until July 16, 2021.

7           6. Defendant filed an Answer to the Complaint on July 16, 2021.

8           7. Since that date, counsel for the parties have been actively communicating with one  
9 another regarding settlement of this matter. The parties believe that a settlement is forthcoming.

10          8. Based upon these facts, Plaintiffs request that the Case Management Conference  
11 currently set for September 14, 2021 at 2:00 P.M. be continued for approximately sixty (60) days  
12 to allow the parties to finalize the terms of a settlement.

13           I declare under penalty of perjury that the forgoing is correct.

14  
15 Dated: September 10, 2021

WEINBERG, ROGER & ROSENFELD  
A Professional Corporation

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17 By: /s/ Craig L. Schechter  
CRAIG L. SCHECHTER  
Attorneys for Plaintiffs

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